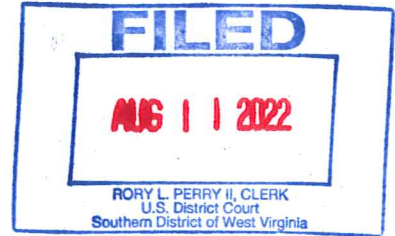


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

JULES GAUTIER,
*individually and on behalf of all
others similarly situated,*

Plaintiff,



v.

CIVIL ACTION NO. 5:20-cv-00165

TAMS MANAGEMENT, INC.,
PAY CAR MINING, INC.,
BLUESTONE INDUSTRIES, INC.,
BLUESTONE RESOURCES, INC.,
BLUESTONE COAL CORP.,

Defendants.

SPECIAL INTERROGATORIES FOR THE JURY

We the Members of the Jury unanimously find by a preponderance of the evidence as follows:

1. Were Tams Management, Inc., Pay Car Mining, Inc., Bluestone Industries, Inc., Bluestone Resources, Inc., and Bluestone Coal Corp. a "single employer" under the WARN Act during the events of this case?

YES ☒

NO ☐

If "Yes", please answer Question 2. If "No", sign, date and fold the verdict form and hand it to the Court Security Officer.

2. Was the Burke Mountain Mine Complex a "single site of employment" under the WARN Act during the events of this case?

YES ☒

NO ☐

If "Yes", please answer Questions 3 and 4. If "No", sign, date and fold the verdict form and hand it to the Court Security Officer.

3. Were 50 or more of Defendants' fulltime employees at the Burke Mountain Mine Complex terminated from employment?

YES ✓

NO _____

4. Were 50 or more of Defendants' fulltime employees' hours at the Burke Mountain Mine Complex reduced by more than 50% for every month in any six-month period beginning on October 14, 2019?

YES ✓

NO _____

Please sign and date this verdict form and return it to the Courtroom.

SO SAY WE ALL, this the 10 day August, 2022.